

Introduced by Senator Peace

February 26, 1999

An act to amend Section 7582.22 of the Business and Professions Code, relating to private security services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1252, as introduced, Peace. Private security services.

Existing law provides for the licensure and regulation of persons engaged in private security services, including persons engaged as private patrol operators. Existing law requires that the business of each licensee be operated under the active direction, control, charge, or management, in this state, of the licensee, if he or she is qualified, or the person who is qualified to act as the licensee's manager, if the licensee is not qualified.

This bill would additionally require any licensee conducting business in this state whose primary office is located outside the state to maintain an office in this state operated under the active direction, control, charge, or management of a qualified manager, and to maintain at the office in this state all records required under the provisions governing private security services and under rules adopted by the Bureau of Security and Investigative Services.

Existing law makes it a crime to violate any of the provisions governing private security services which relate to private patrol operator licensure. By adding to those provisions new requirements regarding the maintenance by licensees, including private patrol operators, of an office in the state and the retention of records at that office, this bill would expand

the scope of an existing crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7582.22 of the Business and
2 Professions Code is amended to read:

3 7582.22. (a) The business of each licensee shall be
4 operated under the active direction, control, charge, or
5 management, in this state, of the licensee, if he or she is
6 qualified, or the person who is qualified to act as the
7 licensee's manager, if the licensee is not qualified. *Any*
8 *licensee conducting business in this state whose primary*
9 *office is located outside of this state shall do both of the*
10 *following:*

11 (1) *Maintain an office in this state operated under the*
12 *active direction, control, charge, or management of a*
13 *qualified manager.*

14 (2) *Maintain at the office in this state all records*
15 *required under this chapter and under rules adopted by*
16 *the bureau.*

17 (b) No person shall act as a qualified manager of a
18 licensee until he or she has complied with each of the
19 following:

20 (1) Demonstrated his or her qualifications by a written
21 or oral examination, or a combination of both, if required
22 by the director.

23 (2) Made a satisfactory showing to the director that he
24 or she has the qualifications prescribed in Section 7582.8
25 and that none of the facts stated in Section 7582.24 or
26 7582.25 exist as to him or her.



1 SEC. 2. No reimbursement is required by this act
2 pursuant to Section 6 of Article XIII B of the California
3 Constitution because the only costs that may be incurred
4 by a local agency or school district will be incurred
5 because this act creates a new crime or infraction,
6 eliminates a crime or infraction, or changes the penalty
7 for a crime or infraction, within the meaning of Section
8 17556 of the Government Code, or changes the definition
9 of a crime within the meaning of Section 6 of Article
10 XIII B of the California Constitution.

